

REGULAR MEETING

Meeting called to order by Chairman Gilbert Foulon with a salute to the flag at 8:05 P.M.

READING: Open Public Meeting Announcement

This is the Regular Meeting of the Wanaque Planning Board and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends and the Herald News on January 26, 2011 and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque and a copy thereof has been on file with the Borough Clerk.

ROLL CALL: Chairman Gilbert Foulon, Vice Chairman Graceffo, Mayor Daniel Mahler, Councilman Dominick Cortellessa, Members Kevin Platt, John Shutte and David Slater

PRESENT: Attorney Steven Veltri and Engineer Michael Cristaldi

ABSENT: Members Mark Reuter and Eugene Verba

MINUTES: from the March 17, 2011 Meeting

MOTION TO APPROVE: made by Councilman Cortellessa, seconded by Member Slater. Voting yes were Chairman Foulon, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater. Vice Chairman Graceffo abstained.

COMMUNICATIONS REPORT: Attorney Veltri advised the Board about the new law requiring Master Plan Reviews every ten years, rather than the six years as previously ordered.

APPLICATION STATUS REPORT (Engineer's Report): Engineer Cristaldi reported that there are two applications, which he believes the Board should deem complete and schedule for the next meeting. Both applicants (Elwood & Sieber) are requesting minor subdivisions.

MOTION TO DEEM THE TWO APPLICATIONS COMPLETE AND SCHEDULE FOR PUBLIC HEARING FOR MINOR SUBDIVISION APPROVAL ON JUNE 16, 2011: made by Councilman Cortellessa, seconded by Member Slater. Voting yes were Chairman

Foulon, Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater.

NEW BUSINESS APPLICATION: Yoga & Wellness

207 Ringwood Avenue, Wanaque, NJ

Owner of Property is Ibrahim Fayed, 206 Warren Street, Harrison, NJ

Owner of Business is John Powers, 33 Vista Road, West Milford, NJ

Owner, John Powers, stated that he has a yoga/wellness studio. Classes consist of regular yoga, hot yoga (temperature is turned up in room to sweat more during workout), pilates, spin classes and different types of fitness. We do try to help people with ailments such as high blood pressure, cholesterol and back issues. He also has a business in West Milford for about six years with approximately 80 active members. We have six part-time employees and all instructors have their certifications. Our hours of operation are in the morning until 11am, then we close and open again around 5pm until 9pm. We are open seven days a week, with a limited schedule on Saturday and Sunday.

No massage business is permitted.

MOTION TO APPROVE: made by Vice Chairman Graceffo, seconded by Councilman Cortellessa. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater.

NEW BUSINESS APPLICATION: “Albana’s Beauty Salon”

1088 Ringwood Avenue, Haskell, NJ

Owner of Property is Aeran Park, 58 Maplewood Avenue, Wayne, NJ

Owner of Business is Albana Sukniqi, 7 Orchard Street, Haskell, NJ

Owner, Albana Sukniqi, stated the business will consist of hair styling, waxing and make-up. She will have three styling chairs and one make-up station.

MOTION TO APPROVE: made by Member Shutte, seconded by Member Slater. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater.

Chairman Foulon recused himself from this new business application.

NEW BUSINESS APPLICATION: Retail Glass Business

1089 Ringwood Avenue, Haskell, NJ

Owner of Property is Mary & David Johnson, 46 Seminole Drive, Ringwood, NJ

Owner of Business is Robert Browne, 50 Poplar Avenue, Pompton Plains, NJ

Owner, Robert Browne, stated it is a small “mom and pop” glass shop with two trucks (one box truck; one rack truck). He does both residential and commercial work, i.e., fixing windows, shower doors, storefronts. The owner questioned the Board about parking in the municipal lot. He was advised that there is no overnight parking for his vehicles, but his vehicles and customers can park there during business hours. The parking lot will be

eventually paved. Trailer trucks will be making deliveries usually early in the morning on Wednesdays and Fridays.

MOTION TO APPROVE: made by Member Slater, seconded by Vice Chairman Graceffo. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Members Platt, Shutte and Slater. Councilman Cortellessa abstained.

NEW BUSINESS APPLICATION: Kids Play Center (5 years to 13 years)

207 Ringwood Avenue, Wanaque, NJ

Owner of Property is Ibrahim Fayed, 206 Warren Street, Harrison, NJ

Owner of Business is Cynthia Capobianco, 26 Skyland Avenue, Haskell, NJ

Owner, Cynthia Capobianco, stated the business is for before and after school care for ages 5 through 13. Children will be dropped off early in the morning (7:00am) and after school. Even though Cynthia was a partner in the business approved in December, because the name has changed, she is the sole owner and the busing is in question, she again came before the Board for approval. The earlier approval was also contingent upon State approval. The previous business did not receive State approval since the application was in a pending status. The State is now requiring that they get a certificate of occupancy from the Borough as part of approval for her new application

We are offering an all day summertime program in hopes of building a clientele to carry over into the upcoming new school year. Since the Wanaque District does not provide busing, she is inquiring of the Ringwood District and/or Jordan Transportation about busing the children from the business site to both grammar schools and returning them back to the business site and having an employee on the bus with the children. State has approved 43 children and has a letter stating she has met the requirements but a certificate of occupancy. The State Inspector has come to the property twice, as well as the borough's building inspector. Attorney Veltri asked about a site plan to review where the drop off area and pick-up areas are for safety, and if any reserved parking or recreational areas. The Board was given a copy of the State's letter and a site plan. According to the site plan, the business is Unit #3, which is 2000 square feet. Unit #2 is part of Crown Liquors, Unit #4 is the new yoga business and Unit #5 is Gingerbread Academy. The recreational area is for Gingerbread only, because of the age of our children, one is not required since they are old enough to do field trips. There is no stove and no cooking will be done on the premises. The kitchen area will be used to store the children's food/snacks with a microwave.

The May 12, 2011 State letter says they are looking for more items than the certificate of occupancy. Cynthia advised that when she received the letter, she forwarded them the requested documents, which were not recorded as received yet. With this type of business, if we have no more than 5 children, we don't need State approval. Since we are having more than 5 children, we need approval. Attorney Veltri advised that, a condition of approval to open, is going to be receiving State approval.

Attorney Veltri questioned how many parking spaces were given to them under the Lease? The tenant did not know, but would take it up with the landlord if necessary. Attorney

Veltri is concerned with having enough parking to accommodate a lot of people coming in and out of the parking lot at certain times of the day. The tenant advised that because Gingerbread Academy has the end unit, a lot of their clients seem to use the banking parking lot, which is adjacent to them, for drop off and pick up. Attorney Veltri's concern is that, even though parking is calculated to the square footage of the building, if the landlord is leasing space, the landlord needs to allocate spaces to the tenant and we need to know how many spaces each tenant has.

Attorney Veltri wanted to know if there was a designated area for drop off and pick up. Our plan was to use the area in front of the building. If parents need to come in, there is ample parking in the lot across from our entrance. At one time there were "children at play" signs and we'd have to check to see if they are still around.

Councilman Cortellessa asked if there were intentions of having children who may have learning disabilities or may be handicapped. Cynthia said "no" and she is not approved by the State to accept special needs children nor is she equipped to or has the ability to.

Engineer Cristaldi questioned if drop off and pick up were going to be on Ringwood Avenue. Cynthia advised that the parking lot is on the opposite side of the building from Ringwood Avenue, there is a light at the entrance on Ringwood Avenue, and there is only one entrance and one exit out of the parking lot, which are marked "one way". They will discuss with the landlord an area to mark off for drop off and pick up with cones.

Chairman Foulon advised that the Board will be sending the landlord a letter to appear at our June meeting to discuss the parking issues at his property.

The Board will approve this application and advise the Building Inspector to issue the certificate of occupancy but operation cannot begin until we receive a copy of the State License. You can have an employee on site, but no children.

MOTION TO APPROVE THE BUSINESS APPLICATION; INSTRUCT THE BUILDING INSPECTOR TO ISSUE A CERTIFICATE OF OCCUPANCY; AND NO BUSINESS OPERATION UNTIL RECEIPT OF THE STATE LICENSE: made by Vice Chairman Graceffo, seconded by Member Platt. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Councilman Cortellessa, Members Platt, Shutte and Slater. Mayor Mahler abstained.

NEW BUSINESS APPLICATION: Family Restaurant/Bar

1069 Ringwood Avenue, Store #101, Haskell, NJ

Owner of Property is Sal Falciglia, Bald Eagle Urban Renewal @ Wanaque, 179

Cahill Cross Road, Suite 311, West Milford, NJ,

Owners of Business are Craig Koebler, 1193 Chedworth Circle, Mahwah, NJ and

Mike Arment, 36 Smith Avenue, Haskell, NJ

Michael Arment, Craig Koebler, Lisa Koebler and Sal Falciglia, the Landlord, appeared on behalf of the business application.

Craig Koebler advised the Board that they would like to open up a family restaurant in the storefront, which was previously the Dollar Store. They would serve lunch, dinner and Sunday brunch with approximately 90 seats (18 or 19 tables). The square footage is 2881. The restaurant would be similar to the Allendale Bar & Grill, serving burgers, etc. Hours of operation would be 11:30am until 10pm or 11pm, depending on the demand, and a brunch on Sunday. We don't anticipate having live entertainment.

Craig has been working in the restaurant business for about forty years and Mike has been in it for fifteen years. We will be the operators and management of the business. We will be hiring a chef.

With regard to parking, Sal Facilglia advised the Board that, in his original approvals, he did plan on a restaurant and that is what he had the liquor license for. The liquor license was Gramlich's.

Vice Chairman Graceffo questioned the exhaust fans extending out of the back of the building. The landlord, Sal, advised they would be either mushrooms or up high above the ceilings. The second floor is about ten or eleven feet so the hood will be up high enough for any trucks to drive underneath it. It also will not extend out that far.

MOTION TO APPROVE: made by Member Slater, seconded by Mayor Mahler. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater.

CONCEPTUAL REVIEW FOR A NEW COMMERCIAL/OFFICE BUILDING

Property Address: 1349 Ringwood Avenue, Haskell, NJ (Block 464; Lots 38 & 39)

Owner Of Property: Cosimo & Theresa Santoro, 27 Dartmouth Road, Wayne, NJ 07470

Architect - Gianni Intili, GI Design Studio, 1 Hillside Terrace, Woodland Park, NJ 07424
Rafael Santoro, son of the property owners, Cosimo & Theresa Santoro

Attorney Veltri advised that this is a Conceptual Hearing so it is completely non-binding from both the Board's point of view and the applicant's point of view. The applicant is telling us what they are thinking about developing and the Board Members will try and give their honest opinions; neither of which is binding upon either party in the future.

Architect Intili advised this is the second Conceptual Plan that is being presented to the Board. From the responses and/or concerns we received from the Board last year, we have prepared this new design.

The property is 1343-1349 Ringwood Avenue and is located by Route 287 and on the south side of the lot there is the Dunkin Donuts strip mall. On the north end of the property is a single-family dwelling. The property is 1.43 acres and comprised of Lots 38 and 39. The site slopes down to a body of water called Post Brook, which is on the westerly side of the lot.

We have provided a Wetlands Report to the State and also have had a meeting with the Passaic County Planning Board to get their feedback as far as developing the site. It is a difficult site to develop. We have a body of water on one side of the site and there is an drainage easement with the County in place, which is on the south side of the site.

Originally, last year we had planned for a 12,500 square foot building. After dealing with the State and wetland requirements and all the associated environmental issues pertaining to this site, this new design is for a 7,658 square foot building. It shows that, like the strip mall, we will have the parking lot in front of the building and will have a ramp on the north side of the property to parking on the underside of the building in the basement area. This will allow us to satisfy the number of parking spaces to the square footage. There are 21 parking spaces in the basement area, and 22 parking spaces in the front of the two-story building. There will also be one elevator to service the building. We would like commercial stores on the first floor and offices on the second floor. We have proposed one entrance and one exit with no left turn onto Ringwood Avenue.

The County wanted the building to be close to the street, with parking in the back. That does not work well and we believe the building being aligned with the strip mall will look better. We will be within five feet of each other from the road. The strip mall's front set back is seventy feet and our proposed building would be seventy-five feet. The parking aisle is twenty-five feet and two cars on each side about twenty feet each, plus the sidewalk, which is five feet.

They are not interested in purchasing the property/house next to the site to the north. It is a small piece of property and it drops down just as much as the site. It is not flatter and would not benefit the project. It would probably only increase the building by 1000 square feet with four or five additional parking spaces in front. Based on the property size, I don't believe this is economically feasible.

Engineer Cristaldi questioned if the finished floor of parking spaces are above or below the flood line elevation. Architect Intili advised it is above. We are working with the flood elevation and we also need to maintain a riparian zone.

Attorney Veltri questioned if you want to know if this Board agrees with the County recommendation or not. Architect Intili advised that we went to the County and they were pleased we were willing to provide them with another solution, which hopefully will give us points when we do file the final application, since we have provided them with two sets of plans. Attorney Veltri advised that the Wanaque Planning Board would approve this building before the County gets it. If you are asking a question, do we want the building close to the road or set back, I believe the consensus of the Board is to have the building set back to be more in conformance with the strip mall next to it.

The Board discussed how vehicles were going to enter the property and the issue of vehicles making left-hand turns. The Board recommended the applicant speak with Mr. LaSala, the owner of the strip mall, about sharing the entrance. Since there is a left-hand turn lane into Dunkin Donuts, if you could use that and go right into your property and left into

theirs, that would be ideal, and may satisfy any questions the County may have about traffic.

Chairman Foulon recommended that the applicant review the property's entrance and egress because it is doubtful that the County is going to let you make a left turn lane going north on Ringwood Avenue and that is going to limit your commercial rental ability. Conceptually, I think we are all in agreement with it that we like it.

PUBLIC DISCUSSION:

Danielle Decker, 6 Dardale Terrace, Haskell, NJ

Ms. Decker would like to make some comments about the new business, Kids Play Center. She is the other partner in the original childcare business that dissolved. The reason the business could not open was because of the physical requirements of the center. There is one exit inside this unit of the building. If there is a fire where the parking lot, the kids are stuck inside the building and cannot get out. Gingerbread Academy, in its unit, had to put a second exit on the back of the building in case there is a fire.

Member Platt advised Ms. Decker that the sprinkler has been approved. The company did the whole building.

The roof was leaking in our unit causing outages with our exit signs. She had Skytech Construction come in to give estimates and she was advised that the whole roof has been patched too many times and has to be completely redone. Chairman Foulon advised that this is a problem between the tenant and landlord.

She also advised there is no central station or pull-down station connecting the new business to the fire department, which is required by State law. Member Platt advised that the new owner will have to have this done before she can get the license.

Vice Chairman Graceffo advised that the State has not approved the facility as of yet. For the State to approve the facility, all the items you mentioned would have to be done within that unit. She cannot open up the business until she meets all the requirements of the State to obtain her license.

Chairman Foulon advised that, neither the dispute with your ex-partner nor any of the issues that you are bringing up tonight, have to do with this Board because nothing will be done unless the State approves the business and issues a license.

Vice Chairman Graceffo stated that the same conditions exist whether it was six months ago or is a month from now. If the same conditions exist, will the State issue the license? Ms. Decker said no and Vice Chairman Graceffo agreed. She cannot open up with State approval. Ms. Decker wanted to make sure of this.

RESOLUTION: Application #PB2011-04 Wanaque La Sala LLC, 1353 Ringwood Avenue, Haskell, Block 464, Lot 40 for an Amended Site Plan Approval to expand the parking area to add six parking spaces to the site; two spaces on the applicant's property, two spaces on or near the property line, and two spaces on the adjoining State property.

MOTION TO APPROVE: made by Member Shutte, seconded by Councilman Cortellessa. Voting yes were Chairman Foulon, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater. Vice Chairman Graceffo abstained.

VOUCHERS: submitted by Alaimo Engineering for attendance at the January, 2011 meeting in the amount of \$190; Alaimo Engineering for attendance at the February and March, 2011 meetings in the amount of \$380; and Steven Veltri, Esq. for Wanaque LaSala, LLC Application in the amount of \$375.

MOTION TO APPROVE: made by Member Slater, seconded by Member Shutte. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Shutte and Slater.

MOTION TO ADJOURN AT 9:40 P.M.: made by Member Shutte, seconded by Member Slater. Carried by a voice vote.

Jennifer A. Fiorito
Planning Board Secretary